

UGU DISTRICT MUNICIPALITY

MINUTES OF THE 20TH MEETING OF THE UGU DISTRICT MUNICIPAL COUNCIL HELD IN THE COUNCIL CHAMBERS, RAY NKONYENI MUNICIPALITY, 10 CONNOR STREET, PORT SHEPSTONE, ON THURSDAY, 26 APRIL 2018, AT 11H05.

PRESENT:

Cllr Y Nair - Acting Speaker

Cllrs MA Chiliza (Mayor), PH Mthiyane (Exco Member), LMR Ngcobo (Exco Member), SP Mthethwa (Exco Member), SN Caluza, TB Cele, S Chetty, TA Disane, TW Dube, JJ East, M Gcwabe, DMM Hlengwa, SE Khawula, BE Machi, MA Manyoni, H Mbatha, S Mngomezulu, NCP Mqwebu, ZZ Msani, NY Mweshe, L Mzimela, PT Naude, D Nciki, HJ Ngubelanga, AD Ngubo, B Ntusi, A Rajaram and MPL Zungu.

BY INVITATION:

Inkosi BS Nzimakwe
Inkosi ZE Ngcobo
Inkosi R Qwabe
Inkosi ZGB Msomi

IN ATTENDANCE:

Mr DD Naidoo	-	Municipal Manager
Ms L Cele	-	General Manager: Water Services
Mr MS Dlamini	-	General Manager: Budget and Treasury Office
Ms Z Mbonane	-	Acting General Manager: Economic Development and Environmental Services
Mr VO Mazibuko	-	Acting General Manager: Corporate Services
Mr F Zama	-	Senior Manager: Mayoralty and Communications
Mr A Mbhele	-	Manager: Administration and Auxiliary Services
Ms Z Dlamini	-	Manager: Risk and Internal Audit
Ms N Mbambo	-	Acting Manager: Legal Services
Ms N Surajbally	-	Administrative Officer: Secretariat Unit
Ms B Malishe	-	Committee Coordinator

• **OPENING**

The Municipal Manager opened the meeting and welcomed all present.

He informed Council that the Speaker was attending to another council business. He then invited nominations for an Acting Speaker, as per the Standing Rules and Order of Council.

Cllr MA Manyoni proposed that Cllr PH Mthiyane be elected as an Acting Speaker for the duration of the meeting and was seconded by Cllr Ngubo.

At that stage of the proceedings, the Municipal Manager requested a few minutes break to confirm if Cllr PH Mthiyane, who was a member of the Executive Committee could be the Acting Chairperson; however, the Legislation was not very clear.

The Mayor suggested that members should then propose another name.

Cllr Ngubo proposed that Cllr Y Nair be elected as an Acting Speaker for the duration of the meeting and was seconded by Cllr Mthiyane.

There being no further nominations, Cllr Y Nair was elected as the Acting Speaker for the duration of the meeting.

The Acting Speaker welcomed all to the meeting.

C 82/04/18 NOTICE OF MEETING

The notice of meeting was taken as read.

C 83/04/18 APPLICATIONS FOR LEAVE OF ABSENCE

It was noted that Cllrs NH Gumede (*council business*), GD Henderson (*family emergency*), NT Zwane (*sick*) and SR Ngcobo (*council business*) had requested leave of absence from the meeting.

It was also noted that Cllr BE Machi would join the meeting shortly.

From the Management Component, it was noted that the General Manager: Corporate Services (*sick*) and the Senior Manager: Corporate Strategy and Shared Services (*annual leave*) had requested leave of absence from the meeting.

It was further noted that the Senior Manager: Human Resources was the Acting General Manager: Corporate Services.

Following which,

It was unanimously

RESOLVED:

- (a) That Cllrs NH Gumede (*council business*), GD Henderson (*family emergency*), NT Zwane (*sick*) and SR Ngcobo (*council business*) be and are hereby granted leave of absence from the meeting.
- (b) That, it be noted that Cllr BE Machi would join the meeting shortly.
- (c) That from the Management Component, the General Manager: Corporate Services (*sick*) and the Senior Manager: Corporate Strategy and Shared Services (*annual leave*) be and are hereby granted leave of absence from the meeting.

- (d) That, it be noted that the Senior Manager: Human Resources was the Acting General Manager: Corporate Services.

C 84/04/18 DECLARATION OF INTEREST

It was noted that there were none.

C 85/04/18 CONFIRMATION OF AGENDA

The Acting Speaker took members through the confirmation of the agenda.

The Municipal Manager requested that the items listed on the First Addendum and the Second Addendum should be included on the Agenda.

Furthermore, he stated that Items 10.1.3 and 10.1.10 were the same items; therefore Item 10.1.10 should be withdrawn from the Agenda.

Following which,

It was unanimously

RESOLVED:

That the agenda convening the Ugu District Municipal Council meeting be and is hereby **CONFIRMED**, subject to the following:

- Inclusion of the items listed on the First and the Second Addendum; and
- Withdrawal of Item 10.1.10

CONFIRMATION OF MINUTES

C 86/04/18 Minutes of the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018

The Acting Speaker took members through the confirmation of the minutes for the meeting held on 29 March 2018.

Following which,

It was

RESOLVED:

That the minutes of the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018, be and are hereby **CONFIRMED**, subject to the following amendments being effected to the minutes.

- Page 2, Inclusion of Cllr BE Machi under Applications for Leave of Absence;
- Page 13, inclusion of the following paragraph under the Peak Season Plan:

“Cllr Rajaram pointed out with concern that at the Hlanganani Primary School, the sewer was running. He appealed to Management to attend to the running sewer given that same was near a school, which was a health hazard.”

RESOLUTION REGISTER

C 87/04/18

Resolution Register for the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018

The Acting Speaker took members through the Resolution Register for the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018.

[At that stage of the proceedings, Cllr Machi joined the meeting.]

Cllr LMR Ngcobo referred members to page 18, resolution number C68/03/18 and raised a concern that some Municipalities were not paying subscriptions to the Councillors' Pension Fund.

In response, the Municipal Manager assured Council that the Municipality was paying subscriptions for all the Councillors, who were members of the Councillors' Pension Fund.

Following which,

It was unanimously

RESOLVED:

That the Resolution Register for the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018, be and is hereby **NOTED**.

C 88/04/18

OUTSTANDING MATTERS

It was noted that there were none.

STANDING ITEMS

C 89/04/18

SALGA Monthly Report: April 2018

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

That the SALGA Monthly Report: April 2018 be and is hereby **NOTED**.

MATTERS FOR DISCUSSION

C 90/04/18 District Multi-Civil Society Forum

It was noted that at the last meeting, the Manager: Public Participation was tasked to prepare a written report on the District Multi-Civil Society Forum which would be circulated to all members at the meeting; hence the item was noted.

Following which,

It was unanimously

RESOLVED:

That the report regarding the District Multi-Civil Society Forum be and is hereby **NOTED**.

EXTRACTS FROM COMMITTEES

Extract from the meeting of the Executive Committee held on 28 March 2018

C 91/04/18 Progress Report on mSCOA Project Implementation

The General Manager: Budget and Treasury Office took members through the progress report on mSCOA Project Implementation.

Cllr Mthethwa referred members to page 49, 4.2 and sought clarity regarding the following:

- Bullet No. 2, Water Services had failed to honour the invitation for training twice now and thus this critical task was still outstanding.
- Bullet No. 3, Finalise implementation of outstanding Revenue Management processes; the task was also outstanding.
- Bullet No. 4, was the General Ledger sorted out.

He then referred members to page 49, 4.3 which reflected the critical tasks up to 30 April 2018 and sought clarity if the deadline would be met.

In response, the General Manager: Budget and Treasury Office informed Council that trainings were conducted every week.

Regarding the outstanding revenue, he mentioned that the revenue management processes were done.

On the General Ledger, he reported that the General Ledger was cleaned.

About 4.3, the critical tasks, he assured Council that the deadline of 30 April 2018 would be met.

Cllr East referred members to page 47 and referred to the Help Desk and expressed his contentment that there was going to be a Help Desk. He sought clarity if the Help Desk was established and if so then the Councillors would need the telephone number and the e-mail address of the Help Desk.

With regard to the General Ledger, he emphasised that the Councillors had assumed that the General Ledger was on track; but it seemed as though the Councillors were misled.

He then sought clarity if the Free Basic Water was going to be 6kl or had it changed to 5.2kl.

In response, the General Manager: Treasury informed Council that the Help Desk was in the process of being set up and that in May 2018, same would be fully operational.

In addition, he assured members that the Help Desk would have a telephone number and an e-mail address particularly for the issue of incorrect bills.

Cllr East sought clarity on how the Municipality would communicate same to the public.

In response, the Mayor emphasised that the issue of billing confused the rate payers and that the Finance Department must conduct road shows to assist the communities.

Following discussion,

It was unanimously

RESOLVED:

- (a) That the Progress Report on mSCOA Project Implementation be and is hereby **NOTED**.
- (b) That the Municipal Manager and the General Manager: Budget and Treasury Office be and are hereby tasked to urgently address all the challenges relating to the mSCOA system.
- (c) That the General Manager: Budget and Treasury Office be and is hereby tasked to communicate through the Municipal Manager, the required interventions which would be addressing the challenges on the mSCOA system.
- (d) That the Budget and Treasury Office Department be and is hereby tasked to conduct road shows to assist the communities on the billing issues.

C 92/04/18

Proposed Devolution of Property, ERF 1638, Port Shepstone, from Kwa-Zulu Department of Human Settlements (to Ray Nkonyeni Municipality) to Ugu District Municipality

The Municipal Manager took members through the item.

He indicated that the objective of the report was to apprise Council of the request to donate land from the Kwa-Zulu Natal Department of Human Settlements.

Following discussion,

It was unanimously

RESOLVED:

- (a) That the report on the Proposed Devolution of Property, ERF 1638 Port Shepstone, from KwaZulu Natal Department of Human Settlements (To Ray Nkonyeni Municipality) to Ugu District Municipality be and is hereby **NOTED**.
- (b) That the request to receive the donation of Erf 1638 Port Shepstone be and is hereby **APPROVED**.

C 93/04/18

Proposed Devolution of Property, Erven 1 and 39 Anerley from Ray Nkonyeni Municipality to Ugu District Municipality

The Municipal Manager took members through the item.

He mentioned that the rationale of the report was inform Council of the request to donate land from Ray Nkonyeni Municipality.

Commenting, Cllr Naude informed Council that the description of the property was just 39 Anerley; and not Erven 1.

Following discussion,

It was unanimously

RESOLVED:

- (a) That the report on the Proposed Devolution of Property, 39 Anerley from Ray Nkonyeni Municipality to Ugu District Municipality be and is hereby **NOTED**.
- (b) That the request to receive the donation of 39 Anerley be and is hereby **APPROVED**.

C 94/04/18

Feedback on Public Consultation on the Amendments made to the Water and Sanitation Services By-Laws

The Municipal Manager took members through the item.

Giving members a background to the item, he mentioned that one of the issues raised by the Auditor-General necessitated that the By-Law be amended accordingly.

He indicated that the By-Law were approved on 06 December 2017, for public participation.

He said that on 26 January 2018, a Public Notice was placed in the South Coast Fever newspaper, inviting the public to view the amended By-Law and to comment on same. He emphasised that the By-Laws were available for inspection for 14 days from the date of publication.

He pointed out that the 14 days had lapsed, and no comments and / or input had been received from the public.

Following which,

It was unanimously

RESOLVED:

- (a) That the Feedback on Public Consultation on the Amendments made to the Water and Sanitation Services By-Laws be and is hereby **NOTED**.
- (b) That the Amended By-Laws be and is hereby **APPROVED** for gazetting.

C 95/04/18

Migration from Blue-Drop System to Integrated Regulatory Information System

The Municipal Manager took members through the item.

Commenting, Cllr Mthiyane pointed out that this was a good initiative; however, she referred members to recommendation (e) on page 70 of the agenda and appealed that the recommendation (e) regarding the posts required for effective compliance to Integrated Regulatory Information System be considered by the Management Committee during the Organogram Review.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Migration from the Blue Drop System to the Integrated Regulatory Information System be and is hereby **NOTED**.
- (b) That the IRIS User Role / Group be and is hereby **NOTED** for implementation.
- (c) That the recommendation (e) regarding the posts required for effective compliance to Integrated Regulatory Information System on page 70 of the Agenda be considered by the Management Committee during the Organogram Review.

C 96/04/18 Water Services Laboratory and Backwash Water Recovery Plant

The Municipal Manager took members through the item.

He mentioned that the rationale of the report was to inform Council on the effects of migration from the Blue Drop System to the Integrated Regulatory Information System.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Water Services Laboratory and Backwash Water Recovery Plant be and is hereby **NOTED**.
- (b) That the Business Plan and Technical Report on the Water Services Laboratory and Backwash Water Recovery Plant at Bhobhoyi Waterworks be and is hereby **APPROVED**.

C 97/04/18 Projects to Handover

The Municipal Manager took members through the item. He highlighted a list of Projects to be handed over to the communities.

Commenting, the Mayor requested that once a project was completed, the hand-over should be done. He appealed to Management not to wait to present to MANCO, the Portfolio Committee and Exco given that the said process took too long. He pointed out that the hand-over could be done and then Management could advise the said Committees accordingly.

Also, he pointed out with concern that some projects were 98% complete for a very long time. He appealed to Management to ensure that the said projects were completed, and that hand-overs should be done so that the communities were aware that the projects were completed.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Projects to Handover be and is hereby **NOTED**.
- (b) That the list of Projects to Handover be and is hereby **APPROVED**.

C 98/04/18 Mistake Farm Water Supply Scheme Phase 1

The Municipal Manager: Water Services took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the progress of Mistake Farm Water Supply Project be and is hereby **NOTED**.
- (b) That the additional funding of R5 million for the Mistake Farm Water Supply Project be and is hereby **APPROVED**.
- (c) That the new Business Plan for the Mistake Farm Water Supply Project be and is hereby **APPROVED** for onward submission to the Department of Water and Sanitation.

C 99/04/18 Umzinto Slums Clearance Project

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Progress of Umzinto Slums Clearance Projects: Farm Isonti Low Cost Housing Bulk Water and Sanitation Supply be and is hereby **NOTED**.
- (b) That the additional funding application for Umzinto Slums Clearance Projects: Farm Isonti Low Cost Housing Bulk Water and Sanitation Supply be and is hereby **APPROVED**.
- (c) That the new Business Plan for the Umzinto Slums Clearance Projects: Farm Isonti Low Cost Housing Bulk Water and Sanitation Supply be and is hereby **APPROVED** for onward submission to the Department of Water and Sanitation.

C 100/04/18 Proposed Devolution of Property, Erven 1 and 39 Anerley from Ray Nkonyeni Municipality to Ugu District Municipality

It was noted that the item was withdrawn from the Agenda.

C 101/04/18 Melville Wastewater Treatment Works (WWTW): Business Plan for Construction of a New 1.5 Ml/Day Melville WWTW

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Melville Wastewater Treatment Works (WWTW): Business Plan for Construction of a New 1.5 MI/Day Melville WWTW be and is hereby **NOTED**.
- (b) That the Business Plan for submission to the Department of Water and Sanitation for the Municipal Infrastructure Grant registration be and is hereby **APPROVED** for onward submission to the Department of Water and Sanitation.

C 102/04/18 2018/2019 Draft Integrated Development Plan

It was unanimously

RESOLVED:

That the 2018/2019 Draft Integrated Development Plan Review and 2017 - 2040 **Spatial** Development Framework be and is hereby **NOTED**.

MINUTES FROM COMMITTEES

C 103/04/18 Minutes of the 20th Meeting of the Executive Committee held on 21 February 2018

The Acting Speaker took members through the minutes.

Following which,

It was unanimously

RESOLVED:

That the Confirmed Minutes of the 20th meeting of the Executive Committee held on 21 February 2018, be and are hereby **NOTED**.

C 104/04/18 URGENT MATTERS

It was noted that there were none.

IN-COMMITTEE MATTERS

[At that stage of the proceedings, Cllr Manyoni moved for the meeting to move in-committee and was seconded by Cllr Dube.]

C 105/04/18 In-Committee Minutes of the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018

The Acting Speaker took members through the confirmation of the minutes.
Following which,

RESOLVED:

That the In-Committee Minutes of the 19th Meeting of the Ugu District Municipal Council held on 29 March 2018 be and are hereby **CONFIRMED**.

C 106/04/18 Extension of the Term for the Audit Committee Member

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report regarding the Extension of the term for the Audit Committee member be and is hereby **NOTED**.
- (b) That the term of office for the Audit Committee Member, Mr Bheki Dladla be and is hereby extended for a period of 3 months until 30 June 2018.

C 107/04/18 Secondment / Acting Appointment: General Manager: IED

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Secondment / Acting Appointment: General Manager: IED be and is hereby **NOTED**.
- (b) That Mr Mandla Mabece: CEO of the Ugu South Coast Development Agency (USCDA) be and is hereby seconded to the position of General Manager: IED (Ugu District Municipality) with effect from 02 May 2018.

(c) That, His Worship, the Mayor request the Board of USCDA to authorise the secondment.

(d) That the process of Selection and Recruitment be concluded.

C 108/04/18 Resignation of General Manager: Corporate Services

The Municipal Manager took members through the item.

Following which,

It was unanimously

RESOLVED:

- (a) That the report on the Resignation of General Manager: Corporate Services be and is hereby **NOTED**.
- (b) That the resignation of Ms VP Tsako: General Manager: Corporate Services be and is hereby **RECEIVED** and **ACCEPTED**.
- (c) That Mr VO Mazibuko be and is hereby appointed Acting General Manager: Corporate Services for a maximum period of three (3) months on a month-to-month basis.
- (d) That the Municipal Manager proceed to appoint Mr VO Mazibuko as the General Manager: Corporate Services as per the Council Resolution of 25 January 2018.

[At that stage of the proceedings, Cllr Mthethwa moved for the meeting to move out of committee and was seconded by Cllr Manyoni.]

C 109/04/18 DATE OF NEXT MEETING

It was noted that the date of the next meeting was scheduled for 24 May 2018.

C 110/04/18 CLOSURE

There being no further items for discussion, the Acting Speaker declared the meeting closed at 12h12.

CHAIRPERSON: ----- **DATE :** -----